

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SONDRA KRAUSE,

Plaintiff,

v.

GEORGIA-PACIFIC CORPORATION, a for  
profit Georgia corporation, and ERIC KING,  
JANE DOE KING, and the marital  
community comprised thereof,

Defendants.

Case No. C05-5809JKA

ORDER

This case has been reassigned to the undersigned magistrate judge for the conduct of all proceedings and the entry of judgment in accordance with 28 U.S.C. § 636(c) on the consent of the parties. The Court, after reviewing the record, does hereby order:

Defendants have filed a surreply, pursuant to Local Rule CR(7)(g) asking the court to strike Plaintiff's untimely responses/filings to Defendants' motion for summary judgment, which was properly noted for March 30, 2007. Considering the chronology of the filings it would be well within the court's power and discretion to simply strike the untimely material and deem Plaintiff's failure to file a brief in opposition to the motion an admission that Defendants' motion for summary judgment has merit. However, the court feels it would be more appropriate to set Defendants' motion for summary judgment over to a subsequent date, to allow defendants a fair opportunity to respond to Plaintiff's arguments raised in her opposition brief and materials submitted within the last few days. To ensure that Defendant's time was not wasted in filing their timely pleadings and to afford full credit to our local rules which require

1 parties to adhere to the court deadlines in the administration of justice, the court is imposing costs against  
2 Plaintiff and/or Plaintiff's counsel for the time it takes Defendants to review the untimely filed materials,  
3 redraft, and refile their reply brief as well as the time it took to draft and file their surreply. The court has  
4 previously imposed costs against Plaintiff due to Plaintiff's failure to respond to discovery requests and a  
5 motion to compel in a timely manner (Doc. 17). The court will impose the same hourly rate of  
6 \$171.00/hour, and Defendants shall provide the court an accounting of the extra time along with their  
7 amended reply.

8 Accordingly, Defendants' motion for summary judgment is renoted for April 6, 2007. **Oral**  
9 **argument will be held Thursday, April 5, 2007 at 10:30 a.m.** Defendants' reply brief should be filed by  
10 Wednesday, April 4, 2007.

11 DATED this 30<sup>th</sup> day of March, 2007.

12  
13 /s/ J. Kelley Arnold  
14 J. Kelley Arnold  
15 United States Magistrate Judge  
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